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DIGEST OF OTHER RECENT VIRGINIA DECISIONS.**Supreme Court of Appeals.**

Note.—In this department we give the syllabus of every case decided by the Virginia Supreme Court of Appeals, except of such cases as are reported in full.

ADAMS *v.* CUMBY.

Jan. 12, 1911.

[70 S. E. 3.]

Ejectment (§ 94*)—Verdict—Evidence.—In ejectment to recover certain land as a part of a city lot, evidence with reference to the location of the boundary thereof held insufficient to sustain a verdict for plaintiff.

[Ed. Note.—For other cases, see Ejectment, Cent. Dig. § 279; Dec. Dig. § 94.* 4 Va.-W. Va. Enc. Dig. 904, 910; 14 id. 368.]

Error to Corporation Court of Lynchburg.

Ejectment by Mary Ida Cumby against Ella M. Adams. From a judgment in favor of plaintiff, defendant brings error. Reversed.

F. S. Kirkpatrick and *A. S. Hester*, for plaintiff in error.

W. M. Murrell, for defendant in error.

CASSELMAN *v.* BIALAS.

March 9, 1911.

[70 S. E. 479.]

1. Ejectment (§ 15*)—Tracing Title.—Where plaintiff in ejectment claimed title through defendant, and produced a deed from the latter to him conveying the fee simple title, and both parties derived title from a common source, plaintiff was not bound to trace his title further.

[Ed. Note.—For other cases, see Ejectment, Cent. Dig. §§ 59-62; Dec. Dig. § 15.* 4 Va.-W. Va. Enc. Dig. 882.]

2. Ejectment (§ 17*)—Right of Possession.—While plaintiff must show a legal title in himself and a present right of possession under such title, as required by Code 1904, § 2725, yet, in the absence of evidence to the contrary, it was sufficient where plaintiff showed right of possession by introducing a deed of the fee simple to himself from defendant, and proving a demand for possession.

[Ed. Note.—For other cases, see Ejectment, Cent. Dig. §§ 63, 64; Dec. Dig. § 17.* 4 Va.-W. Va. Enc. Dig. 883.]

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.